

**IDAHO REAL ESTATE APPRAISER BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 12/12/2011**

**BOARD MEMBERS PRESENT:** Brad Janoush - Chair  
Travis Klundt  
Paul J. Morgan  
Jack R. Van Wyk

**BOARD MEMBERS ABSENT:** Kenneth W. Nuhn

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Eric Nelson, Prosecuting Attorney  
Roger Hales, Administrative Attorney  
Maurie Ellsworth, Legal Counsel  
Maria Brown, Technical Records Specialist

**OTHERS PRESENT:** David Turley

The meeting was called to order at 8:30 AM MST by Brad Janoush.

**LEGISLATIVE REPORT**

Ms. Hall gave the legislative update.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicates a cash balance of (\$107,479.26) as of 11/30/2011.

**FORMAL DISCIPLINARY ACTION**

Mr. Nelson presented a memorandum for cases REA-2011-17, REA-2011-16, and REA-2011-15.

Mr. Morgan recused himself from discussion and voting on cases REA-2011-17, REA-2011-16, and REA-2011-15.

After review, the Board presented its recommendations to its prosecuting attorney.

### **INVESTIGATIVE REPORT**

Ms. Peel presented the investigative report.

Ms. Peel updated the Board on the status of the Williams case.

For Board Determination:

Case numbers I-REA-2011-7, I-REA-2011-13, I-REA-2011-27, I-REA-2012-8, I-REA-2012-11, I-REA-2012-12, and I-REA-2012-13:

Mr. Janoush recused himself from discussion and voting on case I-REA-2011-7.

Following review, it was moved by Mr. Van Wyk to accept the Bureau's recommendation for closure for case I-REA-2011-7. Seconded by Mr. Klundt, motion carried.

Mr. Morgan recused himself from discussion and voting on cases I-REA-2011-13, I-REA-2011-27, I-REA-2012-8, I-REA-2012-11, I-REA-2012-12, and I-REA-2012-13.

Following review, it was moved by Mr. Van Wyk to accept the Bureau's recommendation for closure for case I-REA-2011-13 and to flag the license. Seconded by Mr. Klundt, motion carried.

Following review, it was moved by Mr. Klundt to accept the Bureau's recommendation for closure for case I-REA-2011-27 with a strongly worded advisory letter. Seconded by Mr. Van Wyk, motion carried.

Following review, it was moved by Mr. Klundt to accept the Bureau's recommendation for closure for case I-REA-2012-8, I-REA-2012-11, I-REA-2012-12, and I-REA-2012-13. Seconded by Mr. Van Wyk, motion carried.

### **APPROVAL OF MINUTES**

The Board reviewed the 10/24/2011 minutes.

It was moved by Mr. Van Wyk to approve the 10/24/2011 minutes with amendments. Seconded by Mr. Morgan, motion carried.

### **PROBATION REPORT**

Ms. Peel presented the probation report.

Ms. Peel presented a request for termination of probation for cases REA-2008-69 and REA-2011-2.

It was moved by Mr. Morgan to approve the request for termination of probation for cases REA-2008-69 and REA-2011-2. Seconded by Mr. Klundt, motion carried.

Ms. Peel presented a request for payment installments for case REA-2010-17.

Mr. Van Wyk recused himself from discussion and voting on case I-REA-2010-17.

It was moved by Mr. Klundt to approve the request for payment installments for case REA-2010-17 with clarification that probation will not end until all the terms of the agreement have been met. Seconded by Mr. Morgan, motion carried.

## **OLD BUSINESS**

### **TO DO LIST**

The Board reviewed the to do list. No action was taken.

## **NEW BUSINESS**

Mr. Janoush stated that the Appraisal Institute has offered the 7 hour USPAP Update course at no charge for Mr. Nelson and some investigators on January 20, 2012. He asked for Mr. Nelson to let him know if he is available to attend the course. He also asked Ms. Peel to let him know how many investigators would be available to attend the course.

## **LICENSURE COUNT**

The Board discussed the current licensee count. No action was taken.

## **CORRESPONDENCE**

The Board reviewed correspondence from the Appraisal Foundation. No action was taken.

It was moved by Mr. Morgan to amend the agenda to include discussion of correspondence from Bill McCann. The item was not previously on the agenda due to time restraints per Idaho Code 67-2343 (4) (c). The letter was e-mailed to Ms. Brown on Friday, December 9, 2011. Seconded by Mr. Van Wyk, motion carried.

The Board reviewed a letter from Bill McCann requesting to take the 15 hour USPAP course online due to the lack of available classroom courses.

The Board directed Ms. Brown to respond to Mr. McCann's request outlining Rule 010.07 and advising him that until such time as the rule has been changed for everyone, all pre-licensure courses must be taken in a classroom. No exceptions can be made.

Ms. Cory addressed the Board regarding a recent e-mail that she received from Senator Goedde. Senator Goedde has offered to help the Board with the proposed rule change which will allow online education for pre-licensure courses. The Board stated that it appreciated the offer from Senator Goedde and looks forward to working with him during the upcoming Legislative Session.

Mr. Janoush informed the Board that he had been contacted by Senator Crapo's Office regarding the regulation of appraisal management companies. He will be meeting with Senator Crapo's staff to discuss this issue.

## **EXECUTIVE SESSION**

It was moved by Mr. Van Wyk that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. Seconded by Mr. Klundt. The vote was: Mr. Klundt, aye; Mr. Morgan, aye; Mr. Janoush, aye; and Mr. Van Wyk, aye. Motion carried.

It was moved by Mr. Van Wyk that the Board enter regular session. Seconded by Mr. Klundt. The vote was: Mr. Klundt, aye; Mr. Morgan, aye; Mr. Janoush, aye; and Mr. Van Wyk, aye. Motion carried.

## **APPLICATIONS**

### **Approved for licensure by reciprocity**

It was moved by Mr. Morgan to approve the following applicant licensure by reciprocity:

FLANARY DESIREE                      CGA

Seconded by Mr. Van Wyk, motion carried.

### **Approved for a Temporary Permit**

It was moved by Mr. Morgan to approve the following applicants for a temporary permit:

BROOKS TED DANIEL            TCGA

Seconded by Mr. Klundt, motion carried.

### **CONTINUING EDUCATION**

A motion to approve the following continuing education courses was made by Mr. Morgan. Seconded by Mr. Klundt, motion carried:

NATIONAL ASSOCIATION OF INDEPENDENT FEE APPRAISERS:

2012 – 2013 USPAP            7 CE

### **2011 BOARD MEETING DATES**

February 10, 2012

April 23, 2012

June 18, 2012

August 20, 2012

October 22, 2012

December 3, 2012

The Board asked Ms. Brown to notify the Chairman if she feels, based on the length of an agenda, that a conference call should be held in lieu of a face to face Board meeting.

### **ADJOURNMENT**

It was moved by Mr. Morgan that the meeting adjourn at 10:00 AM MST.  
Seconded by Mr. Van Wyk, motion carried.